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FISCAL IMPACT STATEMENT

LS 6870

BILL NUMBER: SB 329

NOTE PREPARED: Dec 30, 2010

BILL AMENDED:

SUBJECT: Interstate Mutual Aid Agreements.

FIRST AUTHOR: Sen. Arnold

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill authorizes the state or local units of government to enter into agreements to provide interstate mutual aid for emergency responses that do not rise to the level requiring a state or local declaration of a state of emergency or disaster.

The bill recognizes certain out-of-state professional licenses, certifications, or other permits when the state or a political subdivision requests mutual aid from jurisdictions outside of Indiana.

The bill provides immunity from civil liability to certain persons acting under such mutual aid agreements. The bill specifies that emergency responders from outside Indiana rendering mutual aid within Indiana under such mutual aid agreements remain employees and agents of their respective employers and jurisdictions.

The bill provides that benefits enjoyed by emergency responders rendering mutual aid under such mutual aid agreements shall extend to the services the emergency responders perform outside their respective jurisdictions as if those services had been rendered in their own jurisdiction. The bill requires such mutual aid agreements to be approved in the same manner as interlocal cooperation agreements are approved.

Effective Date: Upon passage.

Explanation of State Expenditures: The impact of the bill will depend on state and/or local action and the terms of the mutual aid agreements.

Background. The bill provides that the state and any of its departments or agencies or any political

subdivision may enter into written mutual aid agreements with units of government from another state that provide for

- (1) coordination of communications for;
- (2) training for;
- (3) response to; and
- (4) standby for;

planned events and emergency responses between the units of government.

All immunities from liability available to Indiana political subdivisions, other units of local government in Indiana, and their officers, agents, and employees within Indiana are extended to emergency responders from other states who provide mutual aid or engage in training and exercises under a mutual aid agreement.

The bill or the mutual aid agreement does not create an employment relationship between the jurisdiction requesting aid and the employees and agents of the jurisdiction rendering aid. All pension, relief, disability, death benefits, worker's compensation benefits, and other benefits enjoyed by the responders extend to the services the responders perform outside their respective jurisdictions as if those services had been rendered in their own jurisdiction.

Explanation of State Revenues:

Explanation of Local Expenditures: The bill applies to municipal corporations or special taxing districts. An agreement must be approved in the same manner as interlocal cooperation agreements are approved by IC 36-1-7. IC 36-1-7 requires approval by the Attorney General. IC 36-1-7-5 provides that if an agreement concerns the provision of services or facilities that a state officer or state agency has power to control, the agreement must be submitted to that officer or agency for approval before it takes effect. The impact of this provision will depend on the number and nature of interstate mutual aid agreements.

Also, see *Explanation of State Expenditures* above.

Explanation of Local Revenues:

State Agencies Affected: All.

Local Agencies Affected: Municipal corporations, special taxing districts.

Information Sources:

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